

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

2022 JUN -9 PM 3:40

for the

District of New Mexico

CLERK-LAS CRUCES

United States of America
v.
Emigdio GONZALEZ-GAMBOA

Case No.

22Mj970

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 13, 2022 to June 1, 2022 in the county of Dona Ana in the
State and District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

Title 8 U.S.C. 1324 (a)(1)(A)(iii)

Any person who knowingly or in reckless disregard of the fact that an alien has come to, entered, or remains in the U.S. in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield, from detection, such alien in any place, including any building or any means of transportation

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

ROBERT B BOONE

Digitally signed by ROBERT B
BOONE
Date: 2022.06.08 15:25:27 -06'00'

Complainant's signature

Robert Boone, HSI Special Agent

Printed name and title

Sworn to before me via telephone. and signed in my presence.Date: 6/9/2022City and state: Las Cruces, NM

Judge's signature

Gregory B. Wormuth, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT OF PROBABLE CAUSE
IN SUPPORT OF AN ARREST WARRANT

I, Robert Boone, after being duly sworn in due form of law, depose and say that:

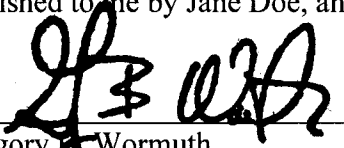
1. I am a Special Agent with U.S. Homeland Security Investigations (HSI), U.S. Department of Homeland Security, and have been so employed for over 10 years. During my tenure, my assignment of cases has included investigations involving immigration laws, to include bringing in and harboring certain aliens into the United States, as defined in 8 U.S.C. § 1324. My assignment of cases has also included investigations of individuals involved in the smuggling, transportation and harboring of illegal aliens.
2. I make this affidavit to establish that probable cause exists to arrest Emigdio GONZALEZ-GAMBOA for harboring illegal aliens, in violation of 8 U.S.C. § 1324.
3. On June 1, 2022, Deputies with the Doña Ana County Sheriff's Office (DASO) and HSI Special Agents responded to 22 Warthen Rd., Anthony, NM, in reference to a possible kidnapping and ransom situation. DASO had received a call from a female who stated that her sister was being held against her will at that address.
4. Sheriff's deputies set up a perimeter of the area and began to call residents out of the homes on the loudspeaker. A female exited a green trailer located at the southeast corner of 22 Warthen Road, later identified as the victim (Jane Doe). Jane Doe was transported to the Anthony sub-station for interview. During the interview, Jane Doe stated that she was being held against her will by the owner of the residence, known only to her as "Flaco." She further stated that she was a Honduran national and was smuggled into the United States. She stated that she had been held captive at the trailer for approximately six weeks. She stated that the people holding her had taken away her cellular phone. She was allowed limited access to her phone and only with supervision of the man holding her captive.
5. A search of the residence through the Doña Ana County Accessors website revealed the owner of the residence to be Emigdio GONZALEZ-GAMBOA. Agents and deputies obtained a photograph of GONZALEZ-GAMBOA. Agents and deputies showed the photograph to Jane Doe, and she identified him as "Flaco," the man who was holding her hostage.
6. Jane Doe also stated that in the approximately six weeks she was held at the trailer, approximately twelve to fifteen other illegal aliens were held at the house and then transported to other areas in the United States.
7. Agents and deputies were also in contact with Jane Doe's sister, who was in possession of audio recordings that Jane Doe surreptitiously recorded of GONZALEZ-GAMBOA talking with another alien smuggler. Jane Doe identified GONZALEZ-GAMBOA's voice

on the audio recording, and on the audio recording, GONZALEZ-GAMBOA can be heard saying that he wants to get rid of Jane DOE because she is causing suspicion.

8. Jane Doe further stated that on approximately three occasions, GONZALEZ-GAMBOA made her strip and took photographs of her in the nude.

This affidavit is intended to show that there is sufficient probable cause for the requested complaint and does not set forth all of my knowledge about this matter.

I make this affidavit based on my personal knowledge, as well as the basis of information furnished to me by Jane Doe, and other law enforcement officers.



Gregory B. Wormuth
United States Magistrate Judge

ROBERT B BOONE Digitally signed by ROBERT B
BOONE
Date: 2022.06.08 20:24:58 -06'00'

Robert Boone
HSI Special Agent